

# THE Caledonian SOCIETY.

No. 9657.

EDINBURGH,

MONDAY, JULY 28, 1783.

## THEATRE ROYAL.

*Positively the Last Night.*

On WEDNESDAY Evening, the 30th instant, will be presented,

The COMIC OPERA OF

## LOVE IN A VILLAGE.

Young Meadows, Mr TANNETT; Hawthorn, Mr BELL; Hodge, Mr JOHNSON;

Mr MOSS; Sir William Meadows, Mr Sparks; Eustace, Mr Bland; And Justice Woodcock,

Madge, Mr FARREN; Lucinda, Mrs HENDERSON; Deborah Woodcock, Mrs CHARTERIS; And Rosetta, Mr BADDELEY.

## IN A T. A STATUYE DANCE.

End of ACT I. A HORNPPIPE, by Mrs TANNETT.

End of the Play (*by itself*) an INTERLUDE, called,

## THE WIFE'S REVENGE.

Dimity, Mr JOHNSON; Vermillion, Mr TANNETT; And Alderman Tokay, Mr MOSS;

Mrs Dimity, Mrs TANNETT; And Mrs Vermillion, Mr SPARKS.

To which will be added, a Farce, called, The

## DEAF LOVER.

Captain Meadows, (the Deaf Lover) Mr MOSS;

Being his first Appearance in that Character.

Young Wrongard, Mr SUTHERLAND;

Canteen, Mr Kelly; Sternhold, Mr Sparks; John Mr Charteris;

William, Mr Tannett; Joe, Mr J. Bland; Bob, Mr Bland, junior; And Old Wrongard, Mr JOHNSON.

Sophia, Mrs MILLS; Sally, Mrs TANNETT;

And Betty Blotom (with Songs in character) Mrs SPARKS.

Tickets to be had, and Places for the Boxes taken, of Mr GIBB, at

the Office of the Theatre.

EXCISE OFFICE, EDINBURGH, 25th July, 1783.

By Order of the Hon. Commissioners of Excise,

THERE will be exposed to public SALE, by auction, pursuant to act of Parliament, on FRIDAY the 1st of August next, at twelve o'clock noon, in the Hall of the EXCISE OFFICE in EDINBURGH.

Several Parcels of Black and Green TEA, COFFEE-BERRIES, RUM, BRANDY, AQUAVITÆ, LOW WINES, HIDES or SKINS, STARCH, SOPE, and FRAMES, with the Materials of a number of SMALL STILLS and UTENSILS FOR DISTILLATION.

And on SATURDAY the 2d of August next, at twelve o'clock noon, in the Excise Warehouse at Leith,

370 Gallons of Foreign GENEVA.

16 lbs. of BLACK TEA, in a box, appraised at 6s. 6d. per lib.

149 lbs. of ditto, in boxes, - 6s. od.

135 lbs. of ditto, in boxes and bags, - 5s. 6d.

149 lbs. of ditto, in bags, - 3s. 6d.

125 lbs. of ditto, in casks, - 3s. 6d.

79 lbs. of ditto, in casks, - 3s. 6d.

Together with such other parcels of Tea as may have arrived before the day of sale.

The conditions of sale, and the goods (which have been condemned by the Court of Exchequer, and before the Justices of the Peace), are to be seen at the Excise Office in Edinburgh, and in the Excise Warehouse at Leith, on the day preceding, and on the morning of the day of sale.

BY ORDER OF THE HONOURABLE

COMMISSIONERS OF HIS MAJESTY'S CUSTOMS,

THERE is to be exposed to public roup and sale, in the Customhouse

of Port-Glasgow, upon Friday the 8th of August 1783, betwixt

the hours of twelve and one o'clock at noon,

369 Ankars, containing 3597 gallons Brandy.

The highest bidder to be preferred.

The conditions of sale to be seen at the Customhouse of Port-Glas-

gow any lawful day betwixt and the day of sale, by applying in office hours.

By Order of the Honourable

Commissioners of his Majesty's Customs.

THERE is to be exposed to public roup and Sale, within the Cu-

stom-houses of the Ports, on the respective days after mentioned,

at the hour of 12 noon, each day.

FOR HOME CONSUMPTION,

Sundry Parcels of FOREIGN TEAS, BRANDY, RUM, GENE-

VA, AQUAVITÆ, and Others, lately condemned in his Majes-

ty's Court of Exchequer. The Goods and conditions of sale to be

seen at the respective Custom-houses, on the morning of the day of sale,

and on the day immediately preceding, at Custom house hours.

DUNBAR, Tuesday, Aug. 5. 1783.—627 gallons Geneva.

LEITH, Wednesday, Aug. 6.—8157 lbs. fine, and 2087 lbs.

black Tea; 89 lbs. Green Tea; 527 gallons Geneva; 3.33 gal-

lons Aquavitæ; 181 gallons Brandy; 27 gallons Rum; 8 gallons red

Portugal Wine; 1 hogshead Red Wine; 3 dozen choping bottles Red

French Wine; 128 pieces of Nankeen; 2 Mulin Gravats; 93 yards

Mullin.

FOR EXPORTATION,

141 Yards Black Silk; 44 India Silk Handkerchiefs; 4 dozen and

2 Barcelona Silk Handkerchiefs; and 13 yards Taffetas.

FOR HOME CONSUMPTION,

ANSTRUTHER, Friday, Aug. 8.—246 gallons Geneva; and 82

gallons Brandy.

ABERDEEN, Monday, Aug. 11.—1365 gallons Geneva; 504

gallons Brandy; 114 gallons French Red Wine; 1 gallon White Wine;

4 bottles India Soy; 4 small Punch Bowls; 1 Tea-box; and 1 Sugar-

box; and a Boat with her Furniture.

KIRKWALL, Wednesday, Aug. 13.—113 gallons Geneva; 17 gal-

lons Brandy; and 18½ gallons Rum.

PORt GLASGOW, Saturday, Aug. 16.—64 gallons Rum; 9

gallons Brandy; 14 Cwt. 2 quarters and 26 lbs. Brown Muscovado

Sugar; 6 Cwt. 3 quarters Raisins; 54 lbs. Coffee Berries; and an open

Boat.

GREENOCK, Saturday, Aug. 16.—32 gallons Aquavitæ; 24 gals

Rum; and 14 Cwt. 3 quarters and 25 lbs. Brown Muscovado Sugar.

AYR, Monday, Aug. 18.—422 gallons Brandy; 17 gallons Strong

Brandy; 72 gallons Rum; 10 gallons Geneva; 17 lbs. Hard Sope;

and 86 lbs. Window Glafs.

WIGSTOWN, Wednesday, Aug. 20.—318 gallons Brandy; 136

gallons Geneva; 76 gallons Rum; 14 bushels Small Salt; 302 lbs.

Hard Sope; and 17 lbs. Hair Powder; and a Manx Boat, with her

Furniture.

FORT WILLIAM, Tuesday, Aug. 26.—2670 gallons Brandy; and

52 gallons Rum, with an open Boat.

## COURT OF SESSION.

PETER ROSE-WATSON, Esq; against Miss Gordon.

A Competition, between a Roman Catholic and a Protestant heir, claiming under the act 1700, with regard to the enjoyment of a lucrative lease, was lately determined before the Court of Session. The circumstances of this case being not only of a curious nature, but the cause itself of national consequence, we shall endeavour, as shortly as possible, to lay a summary of them before our readers:

Charles Gordon of Auchanachy died in 1740, leaving, by his wife Elisabeth Middleton, three sons, John, George, and Adam.

John, the eldest son, was honoured with the countenance and protection of Cosmo George Duke of Gordon, with whom he lived in habits of intimacy, and from whom he received many marks of favour and regard. Among others, he obtained from the Duke of Gordon a very beneficial lease of the lands of Auchanachy for three nineteen years, from the term of Martinmas 1744.

George, the second son, settled in London, some years before his father's death. He appears to have been a man of easy, pleasant manners, a circumstance which perhaps contributed to lead him into a course of dissipation, by no means suitable to his situation and circumstances. To extricate himself from difficulties, in which he had by these means involved himself, he married a widow, who was supposed to be possessed of some fortune. Of that marriage, a female child, named Elisabeth, was the only issue. Soon after she came into the world, her father's situation made it necessary for him to leave London. He went to Jamaica, where he died in November 1736. About two years after, his widow died in London in great poverty; and, in 1739, the child, then an infant about four years old, was placed in the Convent of the Annunciates at Boulogne, by some of her father's friends in London, who still retained a regard for his memory.

Adam Gordon, the youngest son, entered into the Neapolitan service, where he obtained the rank of a Captain of infantry.

John Gordon of Auchanachy died in 1767, without lawful issue. When on death-bed, he executed a sub-tack of the lands of Auchanachy in favour of John Gordon of Avochie, in trust, and for behoof of his brother Captain Adam Gordon, who was then in Sicily with his regiment. This sub-tack, by which John Gordon conveyed the whole benefit of this advantageous lease to his youngest brother Adam, to the exclusion of his niece Elisabeth Gordon, was dated 7th February 1767. Some days after the deed was executed, John Gordon died of some disease under which he had long laboured, and which, in executed some time before, John Gordon, while moveable to George Gordon of Gordonbank in trust, also for behoof of his brother Captain Adam Gordon.

But though John Gordon wished that his brother Adam should thus succeed to him, he was, at the same time, desirous to provide, in some measure, for his niece. With that view he wrote repeated letters to his brother Adam, informing him that he had fallen into a bad state of health; that he did not expect to live long; that he meant that he should be his heir, and recommended to his care and protection the daughter of their brother George, who, he informed him, had been placed, when an infant, in the Convent of Annunciates at Boulogne. Not satisfied with this, John Gordon himself began to pay some attention to his niece, and to make some enquiries about her situation. Upon enquiry he found, that she had quitted the convent in 1764, and, in 1765, when he first enquired after her, resided in Boulogne, where she endeavoured to support herself by the labour of her own hands, in which she found great difficulty, owing to bad health and a weakness in her eyeight. Her uncle, upon that occasion, made her a small remittance, and wrote to her, explaining his connection with her, and expressing his regard for her. He, at the same time, proposed to bring her home to Scotland. In all likelihood John Gordon would have fulfilled his intentions, had he not soon after fallen into a bad state of health, from which he never recovered.

Upon John Gordon's death in 1767, his brother Adam Gordon returned to Scotland; and, in virtue of the deeds above mentioned, intromitted with his whole moveables, and entered to possession of the lands of Auchanachy. When Adam Gordon did this, he knew well that Elisabeth Gordon, the daughter of his elder brother, was alive, and had a preferable title to the lucrative tack of Auchanachy. He found unquestionable evidence of this in the repositories of his brother, and that she was reduced to a state of the greatest poverty. The only effect this had upon Captain Gordon was, to render him jealous and suspicious of every person that mentioned Elisabeth Gordon's name, or talked of her connection with his family. Not many months after his return to Scotland, he laid a Memorial and Queries before a very eminent counsel, in which, after narrating the sub-tack in virtue of which he possessed the lands, he mentioned, as a report, that his brother George had left a daughter, who was in foreign parts; and he desired to have the opinion of his counsel how far that daughter could set aside the sub-tack upon the head of death-bed, if she could prove her propinquity. He further desired to be informed, whether she could quarrel the sub-tack without a service, and whether, in such a service, a legal proof of marriage would be necessary with the birth of a child; and that the claimant was the identical child, &c. In a word, in that memorial, Captain Gordon talked throughout as if it had been a very doubtful point whether his brother George ever had been married, or had a daughter, or whether Elisabeth Gordon was that daughter. But, when he affected to entertain these doubts, he knew perfectly well that she was the daughter of his brother George. With regard to the marriage, which, at some times, he had the confidence to deny, there was found in his repositories, after his death, the most conclusive evidence that he knew of his brother George's marriage, and that there was a daughter.

Upon advising this petition, the Court appointed Mr William Gordon to be factor, with the usual powers. Soon after Captain Gordon's death, Peter Rose, Esq; nephew to Mr Watson, went to Petersburgh, from whence he returned to Scotland, with a power of attorney, authorising him to serve Mr Watson's heir to Captain Adam Gordon. When this power of attorney was granted, it was not known, even in Scotland, whether Elisabeth Gordon was dead or alive.

In the mean while, the proper enquiries were made after her, and the result of those enquiries were, that she had quitted Boulogne some years before, and gone to England with Mrs Capper, an English lady, in the station of French governors to her daughter.

Application was then made to Mr Capper, and the information received from that gentleman amounted to this: That he and his wife had brought over Miss Gordon from Boulogne, a governess to their children: That she lived some years in the family, and afterwards they recommended her to a friend who

ter of that marriage. The evidence alluded to is a letter from Captain Adam Gordon himself to his brother John, dated London, 1st February 1755, and conceived in the following terms:

"As to my brother George, I can hardly give you any account of his affairs, for he has got nothing determined. He is always at the law, oftentimes wants money, and sometimes has plenty, but is in no condition at present to serve his friends; but I must own, it is not want of inclination; and his chief reason of not writing is, that he cannot write in the manner he could wish. His wife had a daughter to him lately, which is called Elisabeth, after my mother."

But while Captain Gordon affected to doubt or to deny his connection with Elisabeth Gordon, he was secretly at pains to prevail with her to return to the monastery, and to take the veil; or, at least, to remain in France, and never to think of coming to Britain. With these intentions he caused a friend of his wife, Mr Forbes of Skelater, a gentleman who then resided at Boulogne, with instructions to discover what she knew of herself, who settled her in the convent, and how long she had been there, &c. At the same time, Captain Gordon desired that Mr Forbes might assure her, that if he was satisfied she was his relation, he would, when he came to understand the state of his affairs, "be able to determine if it will be in his power to give her some small assistance, which, as Auchanachy has left several debts, cannot be expected to exceed a few pounds that can be spared from the profits of the tack, after the burdens that affect it." The letter proceeds in these words: "Upon the whole, Captain Gordon directs me to shew you he is absolutely against the young woman's coming to Britain, unless he has greater expectations of assistance from others than he is able to afford her, though the connection were ascertained to his satisfaction. He has no house or family of his own, and besides, as she has not the language, and has been so long accustomed to the monastic way, he apprehends, from what he knows of these matters in the places he has long resided in, the British customs and society would be very unfit for her. It is therefore for his positive opinion, that she should profess herself, and continue in the convent; and after he is better informed of particulars as to the connection, if the expence in gros, or a small annual pension to her, does not exceed what he can afford, he would willingly below it; and it will be obliging if you will take the trouble, with your first convenience, to acquaint of the expence in either way. In case the young woman inclines the world rather than the monastery, (for which, he says, he would be sorry) he thinks Britain would be an improper place, and that she should rather try to get a settlement in some virtuous family, and to attend a first."

Such were the offers which Captain Gordon made to the daughter of his elder brother, to whose prejudice he had usurped possession of a lease which yielded about 250 l. Sterling per annum of clear profit, in virtue of a death-bed deed, which he was advised by his counsel, he had an undoubted right to set aside. Poor as these offers were, it is more than probable Elisabeth Gordon, in her then wretched situation, would have accepted of them, had they ever been made. But, in fact, they never were, owing to the death of Mr Forbes, which happened very soon after the letter, containing these proposals, came to his hands. Captain Gordon finding that

was enquiring for a French governess for a school for young ladies at Summerhill near Dublin, kept by Mrs Young; and Mr Capper added, that he supposed she still remained there, or, at least, would be heard of by enquiring at Mrs Young.

In consequence of this intelligence, application was made to a merchant of eminence in Dublin, to enquire after Mrs Young; and this gentleman, in a letter, dated Dublin, 25th May 1781, thus describes the situation in which he found Mrs Elizabeth Gordon: "I received your favour of the 18th instant, and immediately went upon the enquiry you desired to find out."

"Mrs Gordon. Mrs Young, with whom she lived, I found had broke up school about a year ago, and went off in her debt, and left her entirely destitute; but I found her out by means of a neighbouring gentleman, whose children had gone to school at Mrs Young's. She is now keeping a little school, where she had only three or four scholars at 6d. a-week each, and consequently in the lowest state of poverty and distress.

"Abstracted from the pleasure I have of obeying your commands, I have the additional one of contributing somewhat to the relief of a poor woman, who, from her cradle seems to have been born to suffer poverty and neglect, from no fault of her own, as far as I can judge. I hope Mr Gordon and you will have the satisfaction which your humanity is justly entitled to, of establishing her right to the succession you claim for her, and for seeing her settled in a comfortable maintenance for life," &c.

Mrs Gordon soon afterwards arrived in Scotland, where she had the happiness of meeting with several ladies to whom she had been known when she had resided at Boulogne, both before and after she had quitted the convent, and who, on account of her singular situation, had interested themselves in her behalf, and had shewn her many marks of kindness.

Before Miss Gordon arrived in Scotland, Mr Rose took out briefs for serving his uncle, Mr Watson, heir to Captain Gordon, before the Sheriff of Banff. Mr Gordon, factor appointed by the Court, thought himself called upon to stop the service till Miss Gordon should have an opportunity of appearing for her interest. He accordingly presented a bill of advocation in her name, which was refused by Lord Kames, June 26. 1781, upon this footing, that no authority was produced from her to oppose Mr Watson's settlement.

In the mean time Miss Gordon arrived in Scotland, and took out briefs for serving herself heir in general to her uncles John and Adam Gordon, before the baileys of the Canongate.

A competition of briefs having thus arisen, the same were advocated, July 20. 1781, and remitted to the Macers of the Court of Session.

At a Court, August 15. the Macers having advised with the Assessors, allowed Miss Gordon a proof of her propinquity, and allowed Mr Watson a proof of his propinquity, and of all facts and circumstances tending to establish the same. Afterwards commission was granted for taking the proof at Boulogne, Dunkirk, London, &c.

In consequence of this commission, which was from time to time renewed, a very long proof was adduced by the parties, and many witnesses were examined, as well in France and England, as in this country. When the proof was concluded, and ready to be advised, accounts arrived of the death of Mr Watson. Mr Rose-Watson was succeeded by his nephew Mr Rose, now Mr Rose-Watson, who immediately took out briefs for serving himself nearest heir to Captain Adam Gordon. These briefs were remitted to the briefs of the proof which had been adduced upon the part of Miss Gordon, without inflicting for any additional proof.

Parties were appointed to be heard upon the import of that proof, in presence of the Macers, of their Assessors, and of a very respectable jury. But, when the Court met, the counsel for Mr Rose-Watson candidly admitted, that the proof adduced upon the part of Miss Gordon, was in every respect complete and satisfactory; and that no doubt could be entertained, that she was truly the legitimate daughter of George Gordon, the second brother of John Gordon of Auchanachy. While Mr Rose-Watson made this admission, he was pleased to state, by his council, as an objection to Miss Gordon's service, that she was a Roman Catholic, and that, till she took the formula, she was not entitled to be served heir to her uncles. To this it was answered for Miss Gordon, that the only purpose of the service was to establish her propinquity, and that she was truly the lawful daughter of George Gordon; that a Roman Catholic was entitled to be served heir in general for the purpose of establishing his state and condition; and that, after Miss Gordon was served, it would still be competent to Mr Rose-Watson to object to her taking up any subject, as heir to her uncles; and, in particular, that it would still be competent to him to object to her enjoying the lease of Auchanachy, if he should be advised that she could not do so without taking the formula.

The assessors were of opinion, that Miss Gordon was entitled to be served heir in general to her uncles, without taking the formula, or without enquiring whether she was a Roman Catholic or a Protestant; and thereupon the same was unanimously served heir in general to her uncles, John and Adam Gordon, on the 15th August 1782.

Mr Rose-Watson immediately took out a brief for serving himself nearest Protestant heir to Captain Adam Gordon; and at the same time, raised a summons against Miss Gordon, in which he insisted that her service should be reduced, in respect that "she professes the Roman Catholic religion, and is thereby wholly excluded, either from serving heir, or succeeding to the said John and Adam Gordon, until she purge herself of Popery, in terms of act 1700, c. 3. entitled, An act for preventing the growth of Popery."

Miss Gordon offered a bill of advocation of the brieve taken out by Mr Rose-Watson for serving himself nearest Protestant heir to Captain Adam Gordon, and the summons of reduction at Mr Rose-Watson's instance having been remitted to the advocation, parties were heard upon the whole, in presence of Lord Eskgrove. In the course of his argument, Mr Rose-Watson seemed to admit, that, in order to establish her propinquity, Miss Gordon was entitled to serve herself heir in general to her uncle; and that that service, by establishing her propinquity, would entitle her to be confirmed as executor *qua* nearest in kin, and to take in that manner any movables which belonged to her uncle. He therefore departed from his conclusions of reduction, and confined himself to the declaratory conclusion of his summons, in which he insisted that Miss Gordon was not entitled to enjoy the lease of the lands of Auchanachy without taking the formula.

Upon that point parties were heard at considerable length; after which Lord Eskgrove took the case to report, and ordered informations to the whole Lords.

Inobligation to this appointment, very learned, ingenious, and elaborate informations were given in by both parties, on the construction of the act 1700, c. 3. On the part of Mr Rose-Watson it was contended, that this act must be considered as an absolute prohibition of every species of succession, and an effectual bar against Roman Catholics succeeding as heirs to any effect whatever. The clause of the act upon which he founded this argument, is in these words: "And likewise his Majesty, with advice and consent foreaid, statutes, enacts, and declares, that no person or persons professing the Popish religion, past the age of fifteen years, shall hereafter be capable to succeed as heirs to any persons whatsoever, nor to bruik nor enjoy any estate by disposition, or other conveyance, flowing from any person to whom the said Papist might succeed, in heir any manner of way, until the said heirs purge themselves of Popery in manner after mentioned."

Parties differed widely as to the true meaning of this clause. The main argument of Mr Rose-Watson relied on dividing the clause, and taking the first branch of it by itself, as a general exclusion, by which Papists are prohibited to succeed as heirs in any kind of right, to any person whatsoever,

Miss Gordon, on the other hand, maintained, that the second branch of the clause limits and explains the general prohibition contained in the first branch of the clause; and that, in sound construction, the clause must be taken as, if it had run in the following words: "That no person or persons professing the Popish religion, past the age of fifteen years, shall hereafter be capable to succeed as heirs to any person whatsoever, ever, in any estate, nor to bruik or enjoy any estate by disposition, or other conveyance, flowing from any person to whom the said Papist might succeed as heir, in any manner of way, until the said heirs purge themselves of Popery, in manner after mentioned."

This Miss Gordon conceived to be the true meaning of the clause. It is a prohibition by which Papists are barred either from succeeding as heirs to any estate, or taking any estate by a conveyance from a person to whom the Papist might succeed as heir. This last prohibition was intended merely to prevent the first prohibition from being defeated, and becoming altogether nugatory, by persons conveying their estates to their Popish heirs who, by the first branch of the clause, were declared to be incapable of succeeding them in these estates.

Miss Gordon also contended, that the act contained no clause, by which it is declared, that Papists shall not succeed in tacks; and that the statute being so highly penal, must be interpreted in the most rigid and strict sense of which the words will allow. Such a statute can admit of no liberal interpretation.

The words must be taken as they stand; and even if they should appear to fall short of the intention of the legislature, no judge, in applying such a statute, can consider himself as warranted to supply that defect, or to extend the statute by any implication, or by any rules of analogy. For example: The act in question inflicts the pain of death both upon the *bearers*, and the *sayers* of mass; but if the words had run, that the *bearers* of mass should be punished with death, without any mention of the *sayers* of mass; or, vice versa, if it had declared, that the *sayers* of mass should be capitally punished, without mentioning the *bearers*, no argument from intention or from analogy would have authorised any court, in judging of this statute, to apply it to the case not expressed; and, in the first instance, *vice versa*, than hearing it. To that the obvious and the solid answer would have been, that, in judging of a statute so highly penal, no defect, however palpable, could be supplied, and that it could not be extended beyond the express words used by the legislature. In like manner, supposing the act to have declared, that no Roman Catholic should be capable of purchasing a land-estate, that enactment could not be extended so as to prevent a Roman Catholic from succeeding as heir to an estate. For the same reason, an enactment, declaring that Papists should not take estates by succession, could not be extended to the case of a purchaser, if not expressly mentioned.

To shew that the interpretation which Mr Rose-Watson has endeavoured to put upon this clause, is altogether erroneous, and that it does not contain that general prohibition against all succession in every species of right for which he contends, and on which his plea ultimately rests, Miss Gordon enumerates some of the many rights to which Roman Catholics are still entitled to succeed, notwithstanding the severity of the penal statute which have been enacted against them.

1. In moveable succession there is no bar and no prohibition against Roman Catholics. Severe as our laws are, they may succeed to a moveable estate, however great it may be.

2. They may take even bonds excluding executors, which, with regard to succession, are equally heritable with tacks.

3. As a Roman Catholic may adjudicate the estate of his debtor, so after the estate is adjudged, the heir, though a Papist, may succeed and possess the estate under that adjudication. Of this the act 1700 itself affords the most complete evidence.

4. If the Duke of Gordon, instead of granting this lease to John Gordon of Auchanachy, had granted an obligation to pay a pension of 100 or 200 l. a-year to John Gordon or his heirs, for a certain number of years; or, if John Gordon had renounced his lease upon receiving such an obligation from the family of Gordon, the act 1700 contains no prohibition by which Miss Gordon could have been barred from enjoying that pension so long as it continued payable.

5. Titles of honour are another subject in which the Roman Catholics are still entitled to succeed. The eldest son of a Peer, although a professed Papist, has an undoubted right to succeed as heir to the Peerage.

6. Hereditary offices of high dignity are in the same situation. Were the eldest son of the Lord High Constable of Scotland to become a Papist, he would nevertheless be entitled to succeed as heir to his father in that high dignity; and there is no law by which any Protestant heir could pretend or presume to deprive him of it. How far he could exercise the functions of the office in his own person, might be a different question; but most assuredly, he would be entitled to succeed to the office, and to enjoy every emolument, however great, with which it might be attended. Upon that principle, if John Gordon of Auchanachy, instead of acquiring right to this tack, had purchased the office of Hereditary Usher, or any other office of that kind, the act 1700 contains no prohibition by which his heir, although a Papist, could have been prohibited from succeeding to it.

7. Another species of property to which a Roman Catholic is entitled to succeed, notwithstanding the prohibitions contained in the act 1700, is the Patronage of a church; a species of property which, of all others, it is natural to presume that our

forefathers would be most solicitous to prevent from coming to the hands of a Roman Catholic. It is nevertheless certain that a Papist may succeed as heir to a Patronage. This plain from the words of the act 1700, which contains no provision against it, but also from the words of a statute passed very few years after, viz. the 10th of Anne, c. 7a, which plainly implies, that a Papist may succeed, and enjoy this species of property. By this act, it is provided, "That if any such Papist patron shall refuse to take the *faracula*, the same being tendered to him by the Sheriff of the shire, Steward, or two Justices of the Peace, presentation, and the right of disposing the *vacant stipend*, shall for that time belong to her Majesty, who may prefer any qualified person within six months after such neglect."

It would far surpass the limits of a news-paper to enter fully into the ingenious arguments of the counsel on both sides; and perhaps some may imagine we have already said too much. As some apology to those who may be of this opinion, we will only beg leave to mention, that this being the first cause of a kind which ever was brought before the Court, as the circumstances attending it, especially concerning Miss Gordon, are not only new, but very extraordinary; and as the determination is of national importance, we thought it our duty to lay the above sketch before our readers.

The cause being reported to the Court by Lord Eskgrove, several of their Lordships delivered opinions, at considerable length; when an interlocutor was pronounced, assuaging the defendant, by which Miss Gordon, who has undergone such a variety of hardships, will be enabled to pass the remainder of her days in easy circumstances, by the enjoyment of this lucrative lease, about eighteen years of which are still to run.

From the LONDON GAZETTE, July 22.

War-Office, July 20. 1782.

22d Regiment of foot, Ensign Winckworth Lodge, from the French American regiment; is appointed to be Ensign, vice Richard Dowling.

23d Regiment of foot, Second Lieutenant James Mackenzie to be First Lieutenant, vice Timothy Tuckey. Peter Robertson, Gent. to be Second Lieutenant, vice James Mackenzie.

37th Regiment of foot, Captain-Lieutenant Northend Nichols to be Captain of a company, vice Stephen Cooke. Lieutenant John Wilber Cooke to be Captain-Lieutenant, vice Northend Nichols. Lieutenant Thomas Digby to be Captain of a company, vice John Ritchie. Ensign William Johnson, of the 35th regiment, to be Lieutenant, vice Thomas Digby.

40th Regiment of foot, Lieutenant Wald. Pelham Clay to be Lieutenant, vice John Moore. Ensign John Howland to be Lieutenant, vice Wald. Pelham Clay.

54th Regiment of foot, Quarter-Master Sergeant Mark Wright to be Ensign, vice Henry Gort. Mark Wright, Gent. to be Quarter-Master, vice James Campbell.

57th Regiment of foot, Lieutenant Harry St Clair to be Captain-Lieutenant, vice John Schaeck. Ensign Philip Vaumont to be Lieutenant, vice Harry St Clair. Lieutenant Mathew Kerr to be Captain of a company, vice Francis Waldron. Ensign James Baillie, from 22d regiment, to be Lieutenant, vice Mathew Kerr. Ensign James Bowie, from 22d regiment, to be Lieutenant, vice Mathew Blood.

60th Regiment, 3d battalion, Reverend Charles Mongan to be Chaplain, vice Michael Schlaeter.

60th Regiment, 4th battalion, Volunteer Ruth Clarke to be Chaplain, vice George Prevost.

74th Regiment of foot, Ensign Donald McLean to be Lieutenant, vice Charles Stewart. Volunteer Colin McLean to be Ensign, vice Donald McLean. Quarter-Master, vice John Carrhares.

Royal Garrison Battalion, Ensign John McWillie to be Lieutenant, British Legion, Volunteer William Campbell to be Cornet, vice Stapleton.

Queen's Rangers, Captain M. Robinson, from the Loyal American regiment, to be Captain of cavalry. Captain-Lieutenant Potts, second officer of 2d De Lancey's, to be Lieutenant of infantry. Ensign Swift Armstrong to be Lieutenant, vice St John Dunlop. Volunteer I. B. Haight, of 37th regiment, to be Ensign, vice Swift Armstrong.

King's American Regiment, Ensign Thomas Barker to be Lieutenant, vice — Young. Sergeant-Major Henry Nale to be Ensign, vice Thomas Barker.

From the London Papers, July 24.

Constantinople, June 12. The preparations for war still continue, and we have now on the stocks five new ships of war, besides a great number of vessels called *Dschamitscha*, which go with sails or oars.

Madrid, June 28. On Tuesday last orders were issued to Cartagena for the departure of the armament, which will very soon appear before Algiers. The expedition is to be conducted by Don Antonio Barcelo, who is perfectly acquainted with the coast, the port, and the city.

Versailles, July 16. On Sunday last orders were issued to the Duke of Richmond, under the title of Duke of Aubigny, had the honour to be presented to the King by the Marshal Duke Duras, First Gentleman of the Chamber; and his Grace was afterwards presented to the Queen and the Royal family.

Many letters from Britany announce, that in the part of the province called Cornouaille, a troop of twelve wolves have lately appeared, seemingly of a foreign species, and very ravenous after human blood. They differ from the common wolves; their heads being longer, their paws larger, and their claws much sharper, insomuch that the dogs dare not attack them. Some of them have been seen to enter the town of Quimperlay. There are counted already upwards of fifteen victims to these ferocious animals, and in the number is mentioned, the Chevalier du Couedie, nephew of the brave officer of that name, celebrated for his glorious defence of the *Surveillant*. It is hoped some means will soon be found to destroy them.

Paris, July 13. Our letters from Rome of the 12th of June last say, that there has been so violent an earthquake in Calabria and Sicily, that Messina is now entirely overturned from one end to the other, together with all the towns of the Farther Calabria bordering on the sea, of which, according to these letters, not the smallest vestige remains.

At Lyon the effects have not been so terrible, but the earth-quake has been felt all along the coast of the Rhone and Saone.

At Geneva, they thought it had been over with that city, the waters of the lake being so swelled and agitated by the trembling, that they beat most furiously against the bank next the town, which was itself so violently shaken, that some edifices fell down.

Paris, July 13. Letters from Dijon of the 7th of this month bring an account, that the day before, at six in the morning, they were alarmed by a violent earthquake, which was followed by others at intervals, and shocks were felt during the course of the night.

At Beaune it was felt in a still more violent degree, considerable damage was done, and the subterranean noise is said to have been terrible beyond description. From many other parts of the kingdom, we have the like dreadful accounts.

We just now learn from Geneva, that the shocks of the earth have been so violent there, that they at one time thought the city was at an end.

In short, we have the most melancholy tidings from all parts representing the recent disasters as "the general convulsions of nature in disorder!"

## London.

There is at least an appearance of the definitive treaties being signed in the course of a few days,—as frigates are held in waiting to sail at an hour's notice to carry the dispatches to the West-Indies and America, to give the necessary notices, and to resume the government of the ceded islands. *Gen. E. Post.* A messenger arrived yesterday at Lord North's office, Whitehall, with dispatches from David Hartley, Esq; at Paris; they only state generally, that the proclamation respecting the carriage of the produce of the West India islands had been subjected, as was directed by order of Council, to the inspection of the American Commissioners, who had expressed no disapprobation of its tenor or contents, but have transmitted it to Congress, whose sentiments and decision upon the subject will be necessary before the final adjustment of the treaty between Great Britain and the Colonies can take place, and which is now the only impediment, and that evidently a trifling one, in the way of this most wished-for event. *Eng. Chron.*

It is now fixed by His Majesty, that Prince William Henry is to embark on Saturday morning next at Greenwich; in the Augusta yacht, in his way to the continent. His Royal Highness will be accompanied by Capt. Elphinstone, who will remain with him during the whole of his residence abroad.

The place fixed upon for the temporary abode of the royal traveller is Strasburg, but his stay on the continent is not intended to be long, as the plan is, after one year's residence there for education, he is to return to England to cultivate his profession, and particularly to be employed in cruizing in the Mediterranean, and in the trade to the Levant. The preference given to Captain Elphinstone on this occasion, as the particular associate of his Royal Highness, arises from their having served together in the same ship, the Warwick, in which Prince William was at the time Capt. Elphinstone took the Aigle, a French frigate, and one of the largest ever built in France. It is supposed a great number of people will go from the metropolis on Saturday to see his Royal Highness embark. *Ibid.*

This morning some dispatches were received from Lisbon, which give an account of two large Dutch ships, bound to the West-Indies, having put in there in great distress.

The Court of Spain is trying every method to open a negotiation with the English Ministers, to get Gibraltar for an equivalent either in money or territory; and the King has it so much at heart, that a tempting offer, it is said, has been made, which caused a consultation of some length before it was rejected.

The French are repairing their men of war which lately arrived from the West-Indies with the greatest despatch: The last letters from Toulon in particular mention, that business is carried on as briskly as in the height of war; but these letters add, that it is to prevent any hostilities in the Mediterranean sea, should a Russian squadron make its appearance there with an intent to annoy the Turks in their commerce, two thirds of which is carried on with the French nation.

The East-India ships spoke with some days off Cape Finisterre were Swedes, and are arrived in the Downs, and not the English Indians as was reported.

The news from the East-Indies, brought by the Fox packet, is the most agreeable that has been received for some time: The death of Hyder Ally, and the peace with the Mahrattas, are fortunate circumstances, which will forward a general cessation of arms, and leave the India Company at leisure to pursue their trade without molestation.

The satisfaction expressed on the death of Hyder Ally, is a proof of that great man's courage and wisdom. He was the only Indian Prince who ever made any effectual stand against an European power, and in the greatest difficulties discovered a judgment and foresight that was the admiration of his enemies. If his numerous armies had not been composed of the most effeminate and cowardly poltroons that ever existed, nor an European power would have been possessed of one inch of ground in India, and he would have been the Alexander of the East.

In all probability there has been no naval engagement in the East-Indies; as Sir Edward Hughes was superior to the French, and before the latter could be sufficiently re-enforced to risque an action, the news of the preliminaries of peace being signed must have arrived, and put a stop to all hostilities.

A report is current about town, that advices have been received from France, that Suffren, going from Ganjam to the island of Ceylon to join Mons. Bussy in March last, had met a very violent storm, in which two of his ships foundered, with their crews, it blowing so hard that no assistance could be given them.

Yesterday morning six companies of artillery-men marched from Woolwich to Gravesend, where they are to embark for Gibraltar, to relieve the same number, who are to return home.

Yesterday the cause depending between Mr Sutherland, Judge of the Admiralty at Minorca, plaintiff, and General Murray, Governor of that island, defendant, came on to be tried in the Court of Exchequer, Guildhall, when, after a full investigation of the matter, the jury found a verdict of 5000 l. damages for the plaintiff.

This day William-Wynn Ryland, who stands indicted for a forgery on the East-India Company, had notice sent him to prepare for his trial at the Old Bailey on Saturday morning next at eight o'clock.

## EDINBURGH.

(For an account of a remarkable cause, lately determined before the Court of Session, between Peter Rose-Watson, Esq; and Miss Gordon, see First Page, &c.)

Extract of a letter from London, July 24.

"This day, at the Session's-house at the Old Bailey, John Bengrofe Atkins was capitally convicted of a street robbery in Bloomsbury-square. This unfortunate person is the son of a very respectable family in Ireland, is genteel and elegant in his person and manners, was formerly a Coroner of horse, and came to London with a large sum of money to complete his equipment for a most eligible situation in India, when he was unfortunately enough to become the prey of a group of Black-legs, was consequently ruined, and, in a moment of desperation, committed that fatal act which has forfeited his life to the injured laws of his country.

"Notwithstanding Newgate and the other prisons are literal-

ly crammed, yet this town and its vicinity, in the memory of any man living, was never so much infested by every species of villainy.

"Mr Atkinson is held to bail in no larger sum than 500 l. a trifling object to a man of his fortune. It is strongly suspected he will avail himself to escape the punishment due to his offence, by indemnifying his sureties in that sum, and abandon that country which his enormities have rendered so unical to his continuance in it. Other reports say, that he will move an arrest of judgment, and doubt not to be able to attach the same offence to those who had appeared against him, that he himself has been found guilty of."

"Mr Ryland is to be tried on Saturday. The charge, it is said, cannot be so established against him as to affect him capitally. His trial will, in all probability, produce as interesting a legal debate as the Old Bailey has for some time furnished,

"The American markets are so clogged with every kind of foreign merchandize, that the friends of the eager adventurers, who hurried from hence to that continent immediately after the peace, are in the greatest distress, lest the markets should not answer the general expectation of the public relative to our commercial intercourse with that country.

"It was strongly reported in the city to-day, that the definitive treaty was so near a conclusion, that merely obstacles of a very trifling nature interfered with its final determination.

"A variety of peculation has been discovered in the business of the city revenue. Alderman Woolridge, it is said, had made discoveries that are not much to the credit of the Aldermanic body.

"The above gentleman has made an application to the Court of King's Bench for a rule to shew cause why a mandamus should not be granted to restore him to the functions of his magistracy. It will be argued early next term.

"Among the less urgent matters now under the deliberation of Government, our Fisheries take the lead; and we have authority for saying, that according to the plan at present thought of, that important article of our country will soon be cultivated with the attention it deserves.

"The late fall in the price of our funds was not accompanied with any similar variation in the other funds of Europe.

"The new aspect upon things in the East Indies will, it is supposed, be auspicious to the peaceful olive. The definitive treaty now probably will no longer linger.

"On the peace being thus definitely settled, the value of our funded property must of course improve very considerably; though it can scarcely be thought that the rise will exceed 80 for the consols, and 93 for the 4 per cent. At the signing of the definitive treaty for the last peace, the funds were 10 per cent. higher than the price above mentioned.

"The business done this day on Change was in quantity prodigious. There were many brokers, of no great name as to business, who had accounts from 20,000 l. to 50,000 l.

"Early in the day, a broker to a Banking-house of the lower order limped out lame; that is, declared himself off paying his differences on the account. The amount on those differences was said to exceed 14,000 l.

"At two o'clock, another broken merchant was declared—Mr A.—His differences were about 10,000 l.—furnishing, with other wrecks, a beacon against gambling.

"The determination of the Bank, on the last petition, was not known, but was in general shrewdly guessed to be in the negative; that is, that the present holders of Scrip and Omni-um, must make good their payments on the next deposit. And yet, notwithstanding that idea, certainly rather of a depressing kind, the price of things was not depressed. Stocks rose at one o'clock, one per cent."

We are happy to inform the Public, that the Hon. James Drummond, representative of the family of Perth, is safely arrived at Lisbon from Calcutta, on board the *Princesa*, a Portuguese East Indiaman. He was not wounded, as lately reported.

We hear from a great number of places in the counties of Durham and York, that the crops of wheat are exceedingly promising; and if the weather continues favourable, the harvest will be very early.

Last week, arrived at Hull, from Greenland, the Manchester, Captain Foord, with 230 butts, 77 puncheons, 2 hogsheads, and 28 barrels of oil and blubber, 2½ tons of whale fins, and 63 seal skins, being the produce of 24 whales and 63 seals.

Thursday night, the *Priscilla*, Captain Franks, of Newcastle, arrived at Shields from Davis's Straights, with one large fish. The captain says, that it has been a bad fishery there, no ship having got more than one fish, several none, and one lost, the addition of Whitby; all hands were saved.

The Four Friends, Sibbald, of the same port, light, from London, is also arrived, with the loss of a mast by lightning.

The master of another ship, arrived at Shields, reports that, coming out of the Cockell, on Saturday afternoon, about four o'clock, he saw a large ship which came out of the sea, drove on shore, he supposed from the Baltic; and that in coming through Yarmouth, he saw a large loaded ship, attended by some smacks, which he supposed were endeavouring to keep her from sinking.

We hear from Stockton, that on Monday they had a most dreadful storm of thunder and lightning, which continued for about two hours; when the lightning struck upon the roof of a house belonging to Mrs Hobson, in Rotter's Square, broke down the chimney, and unroofed a part of the house; the persons that were in Mrs Hobson's house at that time, and in the adjoining houses, were greatly terrified; several of them were thrown down by the effects of the lightning, and some of them were in danger of being suffocated by a strong sulphurous odour emitted by it. The several perils are now all likely to do well.

Dr GRAHAM, President of the Council of Health! sole Proprietor and Principal Director of the Temple of Health, in Pall Mall, near the King's Palace, London, desires most respectfully to inform the Public, That to-morrow, being Tuesday evening, the 29th inst. and the four following evenings, at Mary's Chapel, Niddry's Wynd, he will have the honour of delivering a Lecture, Political, Moral, Philosophical, and Religious; on encouraging the Number, and improving the Bodily and the Mental Faculties of the Human Species;—on the means of exalting and rendering permanent the Rational, Temperate, and Serene Pleasures of the Married State;—of preserving Youth and Personal Beauty and Longevity;—and of prolonging bodily Health, and Serene Mental Brillancy, to the longest possible period of human existence!

The Doors will be opened at Eight o'clock, and the Lecture will begin precisely at half past eight.

ADMISSION, TWO SHILLINGS.—Ladies are requested to come early, as they may be agreeably accommodated with seats.

The Chapel will be illuminated with the purest virgin wax candles.

N. B. Dr Graham's stay in Edinburgh will not exceed a fortnight. Those Ladies and Gentlemen who labour under complaints or diseases, which have not given way to the ordinary, or what is called, the *accident* practice, may have them speedily and radically removed, by applying to Dr Graham, at his apartments at Mrs Thompson's, exactly facing the Royal Exchange, Edinburgh.

Persons of rank, or of *affected delicacy*, are informed, that the above Lecture IS NOT the very celebrated one on Generation, or the Propagation of the Human Species, which Dr Graham had the honour of delivering four hundred and sixty-three times in the Temple of Health in London, before crowded audiences of the Nobility and Gentry of both sexes, with almost continual and unbound'd bursts of satisfaction and applause!

At Dr Graham's apartments as above, may be had, sealed up, price reduced from 10 s. 6 d. to 5 s. 1/- His General Directions in regard to Regimen, Medicines, &c.—in Nervous, Scorbutic, Scrophulous, Bilious, Gouty, and Rheumatic cases; and for the recovery and preservation of Health and Happiness in all states and conditions of life, especially in youth and in old age. Pray, ask for the Directions for Gentlemen, or for those for Ladies, as they are different in certain particulars. 2d, Dr Graham's General State of Medical Practice Exhibited; with a full account of his Travels, Discoveries, Improvements, Cures, Principles, Electrical Apparatus, Temple of Health, &c. &c. &c. The price now reduced from 3 s. 6 d. to 2 s. 6 d.

ARRIVED at LEITH, July 24. Prospect, Telford; Prosperous, Brown; and Thomas and Mary, Jordon, from Chatham, with discharged men; Friendship, Buchanan, from Hull, with goods; Jean, Botcher, from Pool, with peas; Dispatch, Booter, from Wells, with barley; Enterprise, Martin, from Tarmouth, with peas.—2d, Buffick, Seymour, from Wells, with barley and oats; Anstruther, Taylor, from Anstruther, in ballast; Portsmouth tender, Bennet, from Portsmouth, with discharged men; James', Somerville, from Newcastle, with goods; Exchange, Bloom, from Wells, with peas; Richard and Ann, Foggan, from Boston, with oats.—2d, Jean, Brown, from Glasgow, in ballast; Jean and Janet, Higgin, from Kennet, with whisky; John and Christian, Scotland, from Lamb, with flax.—2d, William and Jean, Holmes, from Lynn, with barley; Ceres, Marion, from Lynn, with oats; May Flower, Leven, from London, with barley; Kincardine, Hodge, from Kinneapple, with whisky; Mary, Simond, from Edinburgh, with wheat; Betty and Brothers, Wishart, from Peterburgh, with hemp, &c.

SAILED, Lady Francis, Pottenger, for Gibraltar with bricks; Dispatch, Denholm, for Kirkcaldy, with barley; Councils of Hyndford, Johnson, for Aberdeen, with flour.

ARRIVED at SEALOCK, July 27.—Robert and James, Simpson, from Plymouth, with oats; Peggy, Stewart, from Alva, with wheat;

—Drummond, from Alva, with barley; Dispatch, Burges, from Borrowstounness for Glasgow, with sundries.

SAILED, July 26.—Harriet, Gibson, for Newcastle, with ballast.

SAILED from STROMNESS, July 15.—Peggy, of, and from Dundee, Fenlar, for Dublin; Mary and Betty of Stromness; Smith, from Leith, for Lochlervine Pool.

REMAINED IN RAID HARBOUR, July 18.—Seaton, of, and from Workington; Craigie, for Menai; Minerva, of, and from Whitehaven; Falcon, for Hull; Success of Shields, Paton, from —, for McMenemy; Priscilla, of, and for Shields, Franks, from Davis Straits.

## WANTED IMMEDIATELY.

A LADY'S MAID, who can dress Hair, is neat at Millinery Work, and is otherwise qualified, and has been used for travelling. If she has been abroad, it will be the more agreeable.—Apply to Mr James Russell upholsterer.

N. B. None need apply unless they can be well recommended.

## HERRING FISHERY.

TRUSTEES OFFICE, Edin. July 28. 1783.

THE Commissioners and Trustees for Fisheries, Manufactures, and Improvements in Scotland, having this day received a letter from Mr Archibald Macdonnell, Deputy Justiciary Baillie over the herring fisheries on the north-west coast, informing them that very large shoals of herrings have lately appeared at Loch Urn, and Loch Duich; and in the great Sound to the north-west of the Isle of Skye and Harris; they think it proper to give the adventurers in the Herring Fishery this public notice thereof.

By Order of the Trustees,

ROBERT ARBUTHNOT, Secretary.

## Forth and Clyde Navigation.

A QUARTERLY GENERAL MEETING of the Company of Proprietors of the Forth and Clyde Navigation falls to be held within the Laigh Parliament House here, on the 5th (being the first Tuesday) of August next, at eleven o'clock forenoon, in terms of act of Parliament: But as the Court of Session will then be sitting, the meeting will adjourn to the Goldsmiths Hall.

## LINLITHGOWSHIRE.

### LINT-MILLS, FLAX, HAY, GRASS-INCLOSURES, TILE AND POTTERY.

TO be SOLD, above 100 acres of GROWING FLAX, in sundry fields, some good, some excellent. Good encouragement will be given to persons of character to settle and buy from the field. Though Scots Flax, when well managed, is preferred for our finest manufactures, and gives the highest price, yet more money goes yearly from this country for foreign flax and flax-seed than the whole land rent of it; so, there is little doubt for many years of employment to those who understand the business. Persons from a distance may purchase, as they can be accommodated with mills, watering-places, and carriages, on reasonable terms.—There is a good Lint-mill to let, and an undertaker or man & gear wanted for another; and as much business for both, at a high price; commonly 2 s. 6 d. the stone, as they can well execute. Some more Lint Cleaners are immediately wanted.

Good HAY, old or new, to be sold where standing, or delivered at Edinburgh, Falkirk, or like distance, on reasonable terms. Also, some hundred acres of good inclosed Hay Faggots, with the pasture for after years, are to be let; particularly an inclosure of about two hundred acres, sheep-surfaced, very proper for a jobber, for supplying the Edinburgh or Glasgow markets, or collecting cattle for English dealers.

Horses, Cattle, and Sheep, taken in for grazing, both summer and winter, by the week, month, or season, at large good inclosures.

Apply to George Henderson at Craigroon, four miles east from Linlithgow.

And at BATTHGATE TILE-WORKS are sold exceeding good Tiles, Bricks, Pavement, and Pottery, of most kinds.

This Work was created two years ago, and, being proven, gives great satisfaction, as tiles were much wanted in that part of the country. A new kind of Pavement for Drying Kilns, (a safety from fire), and Pipe, at twenty five shillings the hundred yards, a cheap way for conveying water springs, are recommended. Beef and Butter Cans, Milk Vessels, Vases, Flower Pots, and Pottery Ware of many kinds, glazed and unglazed, sold and made to patterns.

Apply to Robert Stewart, manager of Battlegate Tile Work.

## T O B B S O L D.

A LL and Whole the Lands of MIDDLE BALDRIDGE, called Broomhead and Peaseknow, with the Liens, heaves of land and Pertinents, lying within the parish of Dunfermline, and three of Fife. The present rent of the lands, after all deductions, is above £100 Sterling. The lands are capable of great improvement, being situated within less than a quarter of a mile of the flourishing town of Dunfermline.

For particulars apply to Robert Robertson writer to the signet, who has powers to conclude a bargain.

To be LET, and entered to at Martinmas next.  
**THAT Large and Commodious LODGING**  
near the Ferry-Row Port, south side, built by Lord Newhall,  
and sometime possessed by the Duke of Douglas, Lord Macdonald, &c.  
consisting of fourteen fire apartments, eclaras, &c. with coach-house,  
stable, water-pipe, bowling-green, and other conveniences.

To be seen any day betwixt twelve o'clock mid-day, and three o'clock  
afternoon.

#### TO BE SOLD.

**THE House, Offices, Gardens, and Inclosures**  
in the College of Elgin, belonging to Joseph Robertson; together  
with the Mill of Bishop-Mill and pertinents; and that Inclosure called  
LAING'S PARK, lying in the Catnail of Elgin.

For particulars, apply to William Robertson merchant in Elgin.

#### LANDS IN AYR-SHIRE.

**TO be SOLD** by Private Bargain, The Lands and Baronies of  
HAININGROSS, and great part of the Lands and Baronies of  
CESSNOCK and RARR, in whole or in lots, as formerly advertised.  
or in single farms, as purchasers shall incline.

For further particulars, apply to John Russell, jun. clerk to the signet,  
Edinburgh.

#### TOLL TO LET.

**TO be LET** for one year, from 10th September next, within the  
Toll-house on North Ferry Hill, upon Saturday the 16th of Au-  
gust 1783, between the hours of eleven and twelve noon.

The TOLTS and DUTIES collected at North Ferry Toll-bar, with  
the Toll-houses and Park or Garden belonging thereto.

The articles and conditions of roup to be seen at the Town Clerk's  
Office in Innerkeithing.

Not to be repeated.

#### FARM in KINCARDINESHIRE to LET.

**TO be LET** by public roup, within the house of George Bear, vint-  
ner in Montrose, upon Friday the 1st day of August next, at  
three o'clock afternoon.

The FARM of COMESTON, in the parish of St Sylus, and shire of  
Kincardine, within three measured miles of Montrose, for a term of  
years to be condescended on before the roup, commencing at Whitfun-  
day 1784, and for a yearly rent in money.

This Farm is extensive, and the land of a fine quality, producing the  
best grain in that part of the country, and has for a number of years past  
been under very good management.

The articles of roup, are to be seen in the hands of William Baillie,  
writer in Montrose.

#### FARM TO LET.

To be Let by public Roup in the Town-House of Innerkeithing, upon  
Monday the 4th of August, 1783, and to be entered to at Martin-  
mas next.

**A LL and Hail the Eastmost FARM of SOUTHFOD**, lying in the  
A parish of Dunfermline, and shire of Fife; as presently possessed by  
James Anderson, and John Foreman. This farm is conveniently situated,  
near to the great road leading from the Ferry to Perth, and in the  
neighbourhood of the towns of Dunfermline and Innerkeithing.

As also to be Let, at same time and place, the LIME QUARRY  
in the lands of Southfod, with the DRAW KILNS, and others there-  
to belonging.

For further particulars, inquire at Mr Walker, town-clerk of Inner-  
keithing.

#### FARMS TO LET.

**TO be LET**, and entered to at Martinmas next, TWO LARGE  
F FARMS, in the parish of Bathgate, and shire of Linlithgow,  
viz. the Mains of Drumcros, and the Byers of Drumcros.

For particulars, enquire of Mr John Robertson writer in Edinburgh,  
or of Mr Bowmaker at Hatton.

Whoever takes these Farms, will have liberty to take Lime-stone  
from a quarry at hand. There are coals also within a mile of these  
Farms.

#### FARMS IN FIFE TO LET.

**TO be LET**, for nineteen years, and entered to at Martinmas  
next,

The following FARMS of the Estate of  
LUSKAR and CLUNE, lying on the west side of the town of Dun-  
fermline, the farthest of them not more than a mile distant from the  
town, viz.

The Farm of BLACKBURN, consisting of about 120 acres.

The Farm of GOUKHALL, of 72 acres.

The Farm of BONNINGTON, of about 60 acres. And,

The Farm of CLUNE, consisting of about 94 acres.

The Farms are all properly inclosed and subdivided, with proper  
readings of houses on them, and will be let either separately or two of  
them together in one farm, as tenants incline.

By their vicinity to Dunfermline, great quantities of dung may be  
had at very easy rates; and there is plenty of lime adjacent to the  
farms: so that there is no want of the proper means of improvement.

Adam Paterson in Dunfermline, the factor, will show the farms; and  
those who incline to take any of them may apply to Mr John Robertson  
writer in Edinburgh, or the said Adam Paterson, either of whom  
will conclude a bargain.

Farms, Grafts, Inclosures, and Mills, in the County of Ayr.

#### TO BE LET.

**THE following FARMS and MILES**, belonging to the Earl of  
Dumfries, are to be LET in tack for such number of years as  
shall be agreed upon:

1. Barnikill,
  2. Auchinverie,
  3. Hill,
  4. Knocktirra,
  5. Anchingilie,
  6. Milzoch,
  7. The Corn, Wheat, and Barley  
Mills of Cumnock, called Green-  
mill,
  8. Crook and Wellhill,
  9. Dalies,
- in the parish of Old Cumnock.

The entry to the 1st, 2d, 3d, 4th, 6th, 7th, and 8th articles, is to  
be at Martinmas 1783; — to the 5th at Whitunday 1784; — and to the  
8th at Martinmas 1783, as to the arable land; at Whitunday 1784,  
as to the sheep pasture.

There is likewise to be LET for one, three, or five years, about 300  
Acres of rich Grafts for pasture, divided into six fields, all sufficiently  
inclosed and well watered, lying near Dumfries House.

For further particulars apply to John Tait writer to the signet, Shake-  
speare Square, Edinburgh, or to John Kennedy at Dumfries House.

#### For KINGSTON, and the North Side of JAMAICA,

EDWARD KERR Master,

She will be ready to receive Goods on board  
at Port Glasgow by the 10th August, and clear  
to sail by the 25th.

The rates of freights and passage by the Ja-  
maica are.

Provisions, 8 s. per barrel.

All other Goods, 1 s. 6 d. the solid foot.

The Cabin passage, 20 Guineas. The ship laying in stores,

The Steerage ditto, 9 Guineas.

Apply to Robert Dunmore and Co, Glasgow, or Patrick Dowgall,  
Port Glasgow.

N. B. The Jamaica goes in place of the Governor Dalling formerly  
advertised.

EDINBURGH: Printed for and by JOHN and THOMAS ROBERTSON, and sold at their Printing-house in the PARLIAMENT-CLOSE, where ADVERTISEMENTS and SUBSCRIPTIONS are taken in. This Paper is regularly published every Monday, Wednesday and Saturday. — The price as follows: viz. 4s. 6d. per annum, when sent by post; 4s. 6d. when sent to any house in this city or suburbs; 37 s. 6d. when called for at the Printing-house; and a single paper 3d.

**GENERAL LOCKHART** wishing to pre-  
serve the GAME on his estates, hopes none will hunt or shoot  
on the lands of Let, Carnwath, or Heyden.—Unlicensed persons will  
be prosecuted, and a reward will be given to any informer.

#### By Adjournment.

JUDICIAL SALE OF THE  
Estate of PITNACREE, in the Shire of Perth.

**TO be SOLD** within the Parliament or New Session-house of Edinburgh, before the Lord Ordinary on the bills, on Friday the 8th day of August 1783, betwixt the hours of four and six afternoon.

The LANDS and OTHERS after mentioned, which belonged to  
Lord John Murray, and lying in the parish of Logierait, and shire of  
Perth, viz.

The Lands of PITNACREE, with the valuable WOODS,  
Mansion-house, and others thereto belonging, at the upset price of  
5770 l. 4s. 3 d. 2s. 10d. These lands of Pitnacree hold blench of the  
Crown, and entitle to freehold qualification. The woods on the lands  
must now be greatly increased in their value, the proof having been  
taken in the 1773.

The articles of roup, and title-deeds, to be seen in the hands of John  
Callender, deputy-clerk of session, and John Frazer writer to the signet.

Lands in Fife and Houses in Edinburgh to Sell.

**TO be SOLD**, by public voluntary roup, within the Exchange Coffeeshop, Edinburgh, upon Wednesday the 6th day of August 1783, at five o'clock afternoon.

**LOT I.** The Town and Lands of KILMARON and PITLUG, lying  
within the parishes of Cupar and Monymusk, and sheriffdom of Fife, as  
presently possessed by Thomas Aitken, upon lease, of which there are  
eleven years yet to run. The rent is 225 l. all payable in money; out  
of which there is payable of stipend and schoolmaster's salary, 4 l. 18 s.  
3 d. 10-12ths in money; 7 bushels of oats, 3 bushels of wheat, and 3 bushels  
of bear, which the tenant is obliged to deliver to the minister, and in ac-  
counting, he settles at 2d above the fairs. The lands hold of the Crown,  
and are valued at 383 l. Scots.

Kilmaron, which consists of 273 Scots acres, is an excellent farm, and  
has a very convenient house upon it, which lies within one mile of the  
burgh of Cupar, head town of the county, and four miles of Newburgh  
and Balmerino, both situate upon the Tay, and where great quantities  
of barley are yearly exported; also within three miles of coal; and there is  
an excellent marl pit in the immediate neighbourhood of the lands.

**LOT II.** A Lodging and Dwelling HOUSE, lying in Carrubber's  
Close, presently possessed by Mr Young, consisting of a dining room,  
drawing room, four bed-chambers, with closets to each, a kitchen, cel-  
lars, and other conveniences. The rent is 28l.

**LOT III.** A neat Lodging and Dwelling HOUSE, at the bottom of said  
close, presently possessed by Neil Campbell of Duntroun, Esq. consisting  
of four rooms, kitchen, and three large light closets.

#### ALSO TO LET.

The Mansion House of Culshie, in the parish of Dunbog, and situ-  
ated about half way between Cupar and Newburgh.—The House is com-  
pletely furnished.

The progress of wrights and articles of roup, with the terms of the lease,  
to be seen in the hands of Robert Trotter, writer to the signet, who will  
inform as to other particulars.

#### LANDS in Forfarshire to be Sold.

**THE Lands and Estate of STRATHMARTINE**, with the teinds  
thereto, (which are exhausted by the minister's stipend, as per  
decree of augmentation and locality, 18th December 1723) in whole  
or in parcels, to be particularly described in a subsequent advertise-  
ment, all lying on both sides of the water of Ditchy, in the parish of  
Strathmartine, within three miles of the town of Dundee.

This estate is pleasantly situate, extensive, and very improvable;  
has shell marl within itself, and an inexhaustible fund of marl in the  
near neighbourhood, at an easy purchase. There is a good mansion-  
house upon the estate, with offices and gardens fit to accommodate a  
gentle family. A considerable part of the lands are inclosed with suf-  
ficient stone fences; and there are a great deal of thriving planting on  
the estate, part of it full grown.

These Lands hold fee of the Crown, for payment of 3 s. 8 d. 2s. 3d.  
Sterling of feu-duty to the diocese of St Andrews; and are valued in  
the cens-books of the county at 713 l. 14 s. 4 d. Scots, besides Baldri-  
gan, which is separately valued at 80 l. Scots. The gross rent of the e-  
state, as now let, is 24 bushels meal, 294 bushels bear, and 413 l. 8 s. 9 d.  
Sterling in money, besides carriages and services, &c. not reckoned; and  
the nett rent, after all deductions, is near about 400 l. Sterling. The  
lands are all presently let to substantial tenants, and the rent punc-  
tually paid.

The progress of wrights, which are complete and clear, with a rental of  
the estate, are to be seen in the hands of Thomas Ratray writer in  
Edinburgh, and Mr David Maxwell of Scottown, advocate. The said  
Thomas Ratray or Thomas Davidson writer at the Town-clerk's office,  
Dundee, will communicate with any person inclining to purchase. The  
grounds, &c. will be shown by James Matthew tenant of the Mains of  
Strathmartine, or the ground officer, both on the spot; and a plan and  
measurement of the estate is to be seen in the hands of the said Thomas  
Davidson.

#### Sale of Lands in Berwickshire.

To be SOLD by private bargain,

**THE Lands and Barony of COCKBURN**, and Lands of WESTER  
WINSHIEL, adjoining thereto, with the teinds and pertinents,  
lying in the parish of Danse, and shire of Berwick.

This estate is of great extent, both of arable land and pasture grounds.  
The arable land is a good soil and fine dry situation, capable of great  
improvement, and fit for the culture of turnip, clover, &c. and the pasture  
is known to be among the best and soundest sheep-grounds in the  
county. The leases of the whole estate are nearly out; and that of Cock-  
burn Mains, the principal farm, expired as to the paraffage at Whitfun-  
day last, and as to the arable lands ends with the present crop; so that a  
purchaser might enter to this extensive farm immediately.

There are favourable appearances of copper mines in this estate, the  
veins having been discovered and wrought in an adjoining estate.

The whole lands and estate hold blench of the Crown, and are valued in  
the cens-books at 983 l. 26s. Scots; and the lands of Wester Winshiel,  
being a forty shilling land of old extent, and separately valued at 146 l.  
2s. 3d. Scots, the whole affords three clear freehold qualifications in  
the county of Berwick.

For further particulars apply to George Jeffrey writer in Edinburgh,  
who will show a plan and measurement of the estate, with the rental,  
tacks, &c.

N. B. If the estate is not immediately sold, the extensive farm of  
Cockburn Mains will be let for such a number of years as may be agreed  
upon.

#### TO BE SOLD.

**THE Lands and Barony of GOURROCK**,  
with the Burgh of Barony therof, lying within the parish of  
Innerkip, and shire of Renfrew. The lands hold blench of the Prince,  
and are rated at 600 l. Scots of valued rent. This estate (exclusive of  
those parts of it which are fenc'd) contains above 1200 Scots acres of arable  
and meadow land, and about 800 acres of pasture and moor. The pre-  
sent nett rent is about 680 l. Sterling, including about 47 l. of feu-duties.

It lies immediately below Greenock, and stretches along the frith of  
Clyde for about two miles. The town of Gourock is daily increasing,  
as the adjacent grounds have lately been laid out according to an ele-  
gant and regular plan for building, and are already begun to be feued  
to great advantage. The mansion-house and offices were built within  
these 40 years, are suitable to the estate, in good repair, pleasantly  
situated above the bay and town of Gourock, and command a delight-  
ful and extensive view of the frith of Clyde, Lochlong, Rosneath,  
and the opposite coast of Cowal. The lands are unimproved, and the  
rent may be greatly increased by a moderate outlay. There are prom-  
ising appearances of copper and other minerals on the estate.

For particulars, apply to the proprietor at Gourock house, John Orr,  
Esq; of Barrfield, Glasgow, David Erskine clerk to the signet, Edin-  
burgh, or Mr John Campbell writer in Greenock, in whose hand copies  
of the rental and surveys of the estate may be seen.

To be SOLD, by public roup, in John's Coffee-house, on Tuesday the

29th day of July 1783, betwixt the hours of five and six afternoon.

#### THE Dwelling-House, Garden, and Inclosure

at Jock's Lodge, a mile east from Edinburgh, on the north side  
of the road leading to Musselburgh. The House consists of a dining-  
room, servant room, kitchen, and closets, on the first floor; a small  
drawing-room, two bed-rooms, and bed-closet, on the second floor;  
and two large garrets fitted up for bed-rooms, and has a variety of pres-  
ties and other conveniences. There are upon the premises a stable,  
chaise-house, byre, milk-house, and several other out-houses. The  
park consists of little less than three acres, and is well laid out. These  
subjects hold fee of a subject for payment of an yearly feu-duty of 7 l.  
7 s. 11 d. Sterling.

As also, that LODGING, back fore, being the fourth storey a-  
bove the shop in that tenement of land called Bishop's Land, lying on  
the north side of the high street of Edinburgh, a little below the New  
Bridge, with the cellar and pertinents thereto belonging. The premises  
consist of a large dining-room, drawing-room, and bed-closet to the  
street, three good bed